

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

DUKE PARTNERS, LLC,

Plaintiff,

No. C 17-00085 WHA

v.

ROBERT M. OLIVAN, DIANA LARAE  
OLIVAN, and DOES 1 to 16,


Defendants.

**ORDER ADOPTING REPORT  
AND RECOMMENDATION  
AND REMANDING ACTION**

The Court is in receipt of the report and recommendation by Judge Donna Ryu (Dkt. No. 9). The deadline to object was February 9. No objection was filed. This order **ACCEPTS** and **ADOPTS** the findings therein. The above-titled unlawful-detainer action is **REMANDED** for lack of subject-matter jurisdiction. Both defendant's application to proceed *in forma pauperis* and plaintiff's motion to remand are **DENIED** as moot.

**IT IS SO ORDERED.**

Dated: February 15, 2017.

  
\_\_\_\_\_  
WILLIAM ALSUP  
UNITED STATES DISTRICT JUDGE